

# UNITED STATES PATENT AND TRADEMARK OFFICE

<b>Inventor(s):</b> Gary Lee Butler et al.	<b>Examiner:</b> SAVANI, Avinash
<b>Appln. No.:</b> 10/800,142	<b>Group Art Unit:</b> 3749
<b>Filing Date:</b> March 12, 2004	<b>Confirmation No.:</b> 6797
<b>Title:</b> FIREPLACE HYDRONIC HEATING	<b>Customer No.:</b> 58506
	<b>Docket No.:</b> 325648

Mail Stop AMENDMENT  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

I CERTIFY THAT THIS PAPER (ALONG WITH ANY REFERRED TO AS BEING  
ATTACHED OR ENCLOSED) IS BEING TRANSMITTED TO THE  
COMMISSIONER FOR PATENTS, P. O. BOX 1450, ALEXANDRIA, VA  
22313-1450 ON DECEMBER 1, 2009, VIA THE USPTO-EFS-WEB FILING  
SYSTEM.

/Lisa Johnson/

## AMENDMENT AND RESPONSE

This Amendment is responsive to the Non-Final Office Action dated  
September 2, 2009, and includes the following sections:

Listing of Claims beginning on page 2;

Remarks beginning on page 7; and

An Appendix including the Second Affidavit of David C. Lyons and associated  
materials are attached on page 12 of this paper.

No fee is believed to be necessary. Should any fee be required, the Commissioner is  
authorized to charge our Deposit Account No. 06-0029 and notify us of the same.